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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JIMI JAMES HAMILTON,

11 Plaintiff,

12 v.

13 SCOTT FRAKES et al.

14 Defendant.

CASE NO. C13-5422 RJB

ORDER DECLINING ADOPTION
OF REPORT AND
RECOMMENDATION

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16 The Magistrate Judge recommends that Plaintiff's motion for voluntary dismissal of this
17 42 U.S.C. § 1983 civil rights action be granted. Dkt. 33. The Plaintiff has filed an objection/
18 motion to rescind earlier motion for voluntary withdrawal. Dkt. 34.

19 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
20 Richard Creatura, objection to the Report and Recommendation, and the remaining record, does
21 hereby find and **ORDER:**

- 22 1. The Court declines adoption of the Report and Recommendation (Dkt. 33);
23 2. Plaintiff's Motion to Rescind motion for voluntary withdrawal of complaint
24 (Dkt. 34) is **GRANTED**.

